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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/013,543	02/04/1993	RYOICHIRO SATO	35.C6297-CON	8612
5514 7590 10/26/2004 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER CHIANG, JACK	
			ART UNIT	PAPER NUMBER
			2642	
DATE MAILED: 10/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

08/013,543

Applicant(s)

SATO ET AL.

Examiner

Jack Chiang

Art Unit

2642

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 7/1/07 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed ^{remarks} amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 31-34, 36-37, 39-50, 55-56.


Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____


Jack Chiang
Primary Examiner
Art Unit: 2642

ADVISORY

NOTE: in response to the remarks filed on 07-22-04, on pages 2-6, applicant mainly argues that Konishi (US 4720707) is not able to do "character recognition"..., the images to be stored in the RAM locations are determined by the user. The examiner disagrees. First, if Konishi can place the scanned images (specification and drawing) at different memory locations, that means it can recognize the "character". Second, the "memory" (i.e. RAMs) is a computer memory, although Konishi describes in col. 4, last two lines to col. 5 that "the selection of the images to be stored in the RAMs 42, 43, 44, 45, 46, 47 is made by the keyboard or by keys provided in the display unit 6. It is interpreted that if an image needs to be stored, hit the keys to store it. The computer software will perform the storing process, such as described in col. 5, lines 51-55. That does not mean that the user picks RAM 42 for one thing, and RAM 47 for another thing. In conclusion, Konishi does able to do "character recognition", otherwise, it won't be able to tell it is a "specification" in a scanned image. Further, from the editing process, it is also clear that it can recognize the "character", otherwise, it won't be able to edit the image either.


JACK CHIANG
PRIMARY EXAMINER